



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jawed Asrar et al.

Examiner: Alton N. Pryor

Application No.: 10/691,801

Group No.: 1616

Filed: October 22, 2003

Confirmation No.: 6674

For: Seed Treatment With Combinations
Of Insecticides

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that the attached correspondence, comprising of:

1. Response to Election Requirement Transmittal (2 pages – original and copy)
2. Response to Election Requirement (2 pages)
3. Return Receipt Postcard,

is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

on April 24, 2006.

Mim Voet

Signature of person mailing paper



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RESPONSE TO ELECTION REQUIREMENT TRANSMITTAL

1. Transmitted herewith is a Response to Election Requirement in response to the Office Communication mailed March 23, 2006 for this application.

STATUS

2. Applicants are other than a small entity.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

■ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

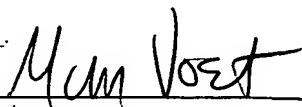
■ with sufficient postage as first class mail.

37 C.F.R. § 1.10*

☐ as "Express Mail Post Office to Addressee"
Mailing Label No. _____ (mandatory)

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) _____



Signature

Date: April 24, 2006

Mim Voet

(type or print name of person certifying)

** Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.*

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicants believe that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY			
	CLAIMS REMAINING AFTER RESPONSE	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE		
TOTAL	10	— 42	= 0	x \$ 50.00	= \$		0.00
INDEP.	2	— 3	= 0	x \$ 200.00	= \$		0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$ 0.00	= \$		0.00
TOTAL ADDIT. FEE					\$		0.00

No additional fee for claims is required.

FEE DEFICIENCY

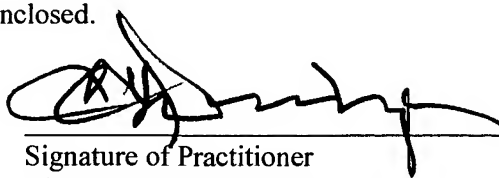
5. If a fee for claims is required, charge Deposit Account No. 50-2548.
If a fee for an extension of time is required, charge Deposit Account No. 50-2548.

A duplicate copy of this paper is enclosed.

Date: April 24, 2006

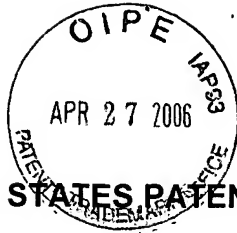
Reg. No.: 35,124

Telephone No.: 864-250-2238
Facsimile No.: 803-255-9831
Customer No.: 45850



Signature of Practitioner
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Columbia, SC 29201



ATTORNEY DOCKET NO: 17396/9169

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Jawed Asrar *et al.*

Serial No: 10/691,801

Filed: October 22, 2003

Title: Seed treatment with combinations of
insecticides

Examiner: Alton N. Pryor

Art Unit: 1616

Confirmation No.: 6674

Deposit Account: 50-2548

RESPONSE TO ELECTION REQUIREMENT

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

This is filed in response to the Office Action dated March 23, 2006, and is being deposited as First Class Mail. The response is believed to be timely with respect to the 30-day shortened statutory period for response that was set in the Action.

With respect to the requirement for the election of species under 35 USC §121, the Applicant elects dinotefuran as the species of nitroguanidine and a biological/fermentation product pesticide as the species of the other pesticide for initial search and examination. The claims that are readable on the elected species include: claims 42 – 47, 57, 68, 75 and 86.

The Applicant maintains that election of species for the nitroguanidine and the other pesticide fulfills the requirements for the election of species, and respectfully requests that search, examination, and allowance of the claims proceed on that basis.

Respectfully requested,

NELSON MULLINS RILEY & SCARBOROUGH

April 24, 2006

Date

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